

ESTTA Tracking number: **ESTTA230031**

Filing date: **08/12/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91180852
Party	Defendant Albaugh, Inc.
Correspondence Address	Adam W. Jones Albaugh, Inc. 1525 NE 36th St Ankeny, IA 50021 UNITED STATES Adamj@albaughinc.com
Submission	Withdrawal Of Application
Filer's Name	Adam W. Jones
Filer's e-mail	AdamJ@albaughinc.com
Signature	/adam w jones/
Date	08/12/2008
Attachments	Express Withdrawal with Consent - BASF.pdf (2 pages)(55857 bytes) Express Withdrawal with Consent - Wyeth.pdf (1 page)(43139 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 76/642,493

Mark: PYRAMID

Filing Date: July 11, 2005

BASF SE

Opposer,

v.

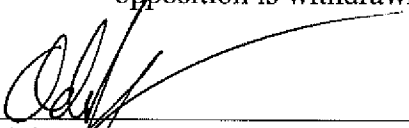
Opposition: 91180852

ALBAUGH, INC.

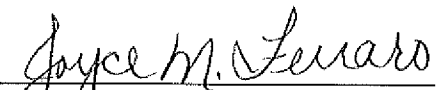
Applicant.

**STIPULATION OF EXPRESS WITHDRAWAL OF
APPLICATION WITH CONSENT AND WITHDRAWAL OF
OPPOSITION WITH CONSENT**

It is hereby stipulated and agreed by Opposer BASF SE and Applicant Albaugh, Inc. that Application Serial No. 76/642,493 is withdrawn with Opposer's consent and this opposition is withdrawn with Applicants' consent.


Adam W. Jones
Albaugh, Inc
1525 NE 36th St.
Ankeny, IA 50021

Attorney for Albaugh, Inc.


Joyce M. Ferraro
James D. Weinberger
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza, 6th Floor
New York, NY 10017

Attorneys for BASF SE

CERTIFICATE OF SERVICE

Copy to:

Joyce Ferraro

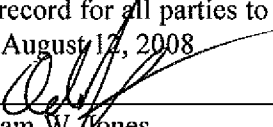
James D. Weinberger

Fross Zelnick Lehrman & Zissu, P.C.

866 United Nations Plaza, 6th Floor

New York, NY 10017

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon one of the attorneys of record for all parties to the above-entitled cause by e-mail on August 12, 2008



Adam W. Jones

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 76/642,493
Mark: PYRAMID
Filing Date: July 11, 2005

WYETH,

Opposer,

v.

Opposition: 91181995

ALBAUGH, INC.

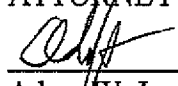
Applicant.

EXPRESS WITHDRAWAL OF APPLICATION WITH CONSENT

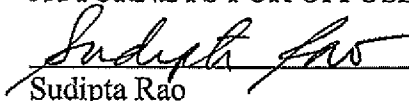
Pursuant to 37 C.F.R. sections 2.68 and 2.135, Applicant Albaugh, Incorporated hereby expressly withdraws the above-referenced application with the consent of Opposer Wyeth.

Respectfully submitted,

ATTORNEY FOR APPLICANT


Adam W. Jones
Albaugh, Inc.
1525 NE 36th St.
Ankeny, Iowa 50021

ATTORNEYS FOR OPPOSER

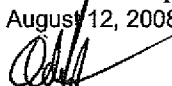

Sudipta Rao
Wyeth
Five Giralda Farms
Madison, NJ 07940

Copy to:

Sudipta Rao
Wyeth
Five Giralda Farms
Madison, NJ 07940
raos@wyeth.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon one of the attorneys of record for all parties to the above-entitled cause by e-mail on August 12, 2008


Adam W. Jones